

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent No. : 7,344,765 B2
Issue Date: 18 March 2009
Application No. 10/583,743 Confirmation No. 7102
Applicant(s) : Hayakawa et al.
Filed: : June 20, 2006
Art Unit : 1773
Title: : HEAT-SHRINKABLE POLYESTER FILM AND HEAT-SHRINKABLE LABEL
Examiner : Vivian Chen

Attn: Certificate of Correction Branch

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REQUEST FOR CERTIFICATE OF CORRECTION UNDER 37 C.F.R. § 1.322

S I R:

Patentee hereby requests the issuance of the enclosed Certificate of Correction for the above-identified patent for the correction of an error made by the United States Patent and Trademark Office (USPTO). The requested correction is listed on the attached Form PTO/SB/44. This correction does not constitute new matter or require reexamination. The following exhibits evidence the error made by the USPTO:

Exhibit 1: Page of U.S. Patent No. 7,344,765 B2 showing claim 1 as issued.

Exhibit 2: A copy of the claim 1 as amended in the preliminary amendment of July 11, 2006.

It is noted that claim 1 was not amended after the preliminary amendment had been filed.

Because the error was the result of a mistake by the Patent and Trademark Office, no fee is required. However, if any fee is required, please charge it to Deposit Account No. 11-0600 (Kenyon & Kenyon LLP).

Respectfully submitted,

/ Richard W. Ward/
Richard W. Ward (Reg. No. 52,343)

Date: May 13, 2009

KENYON & KENYON LLP
1500 K Street, N.W., Suite 700
Washington, DC 20005
Tel: (202) 420-4200
Fax: (202) 420-4201

UNITED STATES PATENT AND TRADEMARK OFFICE CERTIFICATE OF CORRECTION

Page 1 of 1

PATENT NO. : 7,344,765 B2

APPLICATION NO.: 10/583,743

ISSUE DATE : Mar. 18, 2008

INVENTOR(S) : Hayakawa et al.

It is certified that an error appears or errors appear in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

In Claim 1, line 13, replace "gilycol" with --glycol--.

MAILING ADDRESS OF SENDER (Please do not use customer number below):

Kenyon & Kenyon LLP; 1500 K Street, Suite 700; Washington DC, 20005

This collection of information is required by 37 CFR 1.322, 1.323, and 1.324. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Attention Certificate of Corrections Branch, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

EXHIBIT 1

15

The invention claimed is:

1. A heat-shrinkable polyester film having a multi-layer structure of at least two layers, among which at least one layer is a layer containing a PET bottle-recycled material, wherein a heat shrinkage percentage of a 10 cm square sample cut out from the film in a maximum shrinkage direction is 40% or higher, under the condition that the square sample is immersed in hot water of 95° C. for 10 seconds and then immersed in water of 25° C. for 10 seconds, and the film contains as polyester components constituting the film, 50% by mole or greater of a terephthalic acid component in 100% by mole of polybasic carboxylic acid components, and the content of an ethylene glycol component is 50% by mole or greater in 100% by mole of polyhydric alcohol components.

2. The heat-shrinkable polyester film as claimed in claim 1 which has a multi-layer structure of at least three layers, wherein both surface layers have a content of the PET bottle-recycled material of 7 mass % or smaller, and at least one layer having a content of the PET bottle-recycled material of 7 mass % or larger is provided as an inner layer other than the surface layers.

3. The heat-shrinkable polyester film as claimed in claim 2, wherein the film has an intrinsic viscosity of 0.62 dl/g or larger.

16

4. The heat-shrinkable polyester film as claimed in claim 1, wherein the film has an intrinsic viscosity of 0.62 dl/g or larger.

5. The heat-shrinkable polyester film as claimed in claim 1, wherein the film contains an alkaline earth metal and a phosphorus compound, the content of the alkaline earth metal M² is from 20 to 400 ppm and the content of phosphorus atoms P is from 20 to 600 ppm in the film.

6. The heat-shrinkable polyester film as claimed in claim 1, wherein the film has a melting specific resistance at 275° C. of 0.4×10^8 ($\Omega \cdot \text{cm}$) or less.

7. The heat-shrinkable polyester film as claimed in claim 1, wherein when the film stored in an environment controlled to a temperature of 30° C. and a relative humidity of 85% for 28 days and then a plurality of the film specimens are subjected to a tensile test in a direction orthogonal to the maximum shrinkage direction in a condition of a distance between corresponding chunks of 100 mm, a specimen width of 15 mm, a temperature of 230° C. and a tension test rate of 200 mm/min, the number of specimens with a breaking extension of 5% or less is 20% or less of all the specimens.

8. A heat-shrinkable label which uses the heat-shrinkable polyester film defined in claim 1.

* * * * *

EXHIBIT 2

Amendments to the Claims:

1. (Currently amended) A heat-shrinkable polyester film having a multi-layer structure of at least two layers, among which at least one layer is a layer containing a PET bottle-recycled material, wherein a heat shrinkage percentage of a 10 cm square sample cut out from the film in a maximum shrinkage direction is 40 % or higher, under the condition that the square sample is immersed in hot water of 95°C for 10 seconds and then immersed in water of 25°C for 10 seconds, and the film contains as polyester components constituting the film, 50 % by mole or greater of a terephthalic acid component in 100 % by mole of polybasic carboxylic acid components, and the content of an ethylene glycol component is 50 % by mole or greater in 100 % by mole of polyhydric alcohol components.

2. (Original) The heat-shrinkable polyester film as claimed in Claim 1 which has a multi-layer structure of at least three layers, wherein both surface layers have a content of the PET bottle-recycled material of 7 mass% or smaller, and at least one layer having a content of the PET bottle-recycled material of 7 mass% or larger is provided as an inner layer other than the surface layers.

3. (Currently amended) The heat-shrinkable polyester film as claimed in Claim 1 ~~[[or 2]]~~, wherein the film has an intrinsic viscosity of 0.62 dl/g or larger.

4. (Currently amended) The heat-shrinkable polyester film as claimed in ~~any one of Claims 1 to 3~~ Claim 1, wherein the film contains an alkaline earth metal and a phosphorus compound, the content of the alkaline earth metal M² is from 20 to 400 ppm and the content of phosphorus atoms P is from 20 to 600 ppm in the film.